

FILEDUNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO**UNITED STATES DISTRICT COURT**

APR 20 2016

for the

District of New Mexico

In the Matter of the Search of)
(Briefly describe the property to be searched)
or identify the person by name and address))One (1) black/pink/white colored leopard print soft-sided)
suitcase (Further depicted in attached photograph))
)MATTHEW J. DYKMAN
CLERK
Case No. 16mr301**APPLICATION FOR A SEARCH WARRANT**

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

One (1) grey with lime green striped "Adidas" brand bag, presently located at the Drug Enforcement Administration, located in the Judicial District of New Mexico, there is now concealed (identify the person or describe the property to be seized):
Cocaine, Methamphetamine, Heroin and/or marijuana

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
21 USC 841	Possession with Intent to Distribute a Controlled Substance.

The application is based on these facts:
(See Affidavit, Attachment A)

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Jarrell W. Perry
Applicant's signature

Jarrell W. Perry, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 04-20-2016

William P. Lynch
Judge's signature

City and state: Albuquerque, New Mexico

William P. Lynch, US Magistrate Judge

Printed name and title

Attachment A

AFFIDAVIT IN SUPPORT OF APPLICATION

I, Jarrell W. Perry, being duly sworn, hereby depose, and state as follows:

I am a Special Agent of the Drug Enforcement Administration (DEA). I have been so employed since September, 1998. Prior to my employment with the DEA, I was a Police Officer for approximately six years. By virtue of my employment with the DEA, I am authorized to conduct investigations of violations of the Controlled Substances Act. Over the course of my twenty-three years in law enforcement, I have been assigned to the DEA Albuquerque District Office Interdiction Unit for approximately 16 years and have been involved in over 1,300 seizures of illegal narcotics and United States Currency on Amtrak Trains, Airports, packaging services and various bus companies. I have also participated in and/or executed many search warrants involving various forms of luggage. I am currently assigned to the Albuquerque District Office Interdiction Group.

This affidavit is offered in support of an application seeking authorization to conduct a search for contraband contained in a black/pink/white colored leopard print suitcase (hereinafter referred to as the SUBJECT PROPERTY). It is my belief that the SUBJECT PROPERTY currently contains evidence of violations of Title 21 United States Code, Section 841(a) (1), the manufacture, distribution and possession with intent to distribute a controlled substance. Because this affidavit is being submitted for the limited purpose of obtaining a search warrant, I have not included each and every fact known to me concerning this investigation. I have also relied on the experience and assistance of DEA Task Force Officer (TFO) Clarence Davis and New Mexico State Police K-9 handler Nathan Lucero during this investigation.

BACKGROUND OF THE INVESTIGATION

On April 20, 2016, Special Agent (S/A) Jarrell W. Perry and TFO Clarence Davis were at the Amtrak Train Station in Albuquerque, New Mexico to check the eastbound Amtrak Train that makes a regularly scheduled stop in Albuquerque, New Mexico. S/A Perry and TFO Davis boarded the coach section of the Amtrak Train and began conducting consensual encounters with the passengers that were on the Amtrak Train. S/A Perry approached a female, later identified as Chaznee Nicole MOCKABEE, who was lying in a seat in coach car number 413. S/A Perry displayed his badge and identified himself as a police officer to MOCKABEE, and asked for and received consent to speak to MOCKABEE. During the conversations, S/A Perry learned from MOCKABEE that she was traveling from Riverside, California to Indianapolis, Indiana and that she lived in Indianapolis, Indiana. MOCKABEE informed S/A Perry that she was in California for over a week and traveled via airplane to California. MOCKABEE said that she did not return via airplane because it was expensive. S/A Perry knew from his experience of working at the Amtrak Train Station that passengers transporting illegal narcotics often travel by airplane one way and then travel on their return trip via the Amtrak Train due to the lack of security on the Amtrak Train compared to the airports. S/A Perry asked MOCKABEE if she had any luggage with her and MOCKABEE identified an open topped satchel sitting directly beside her and also a black/pink/white colored leopard print suitcase lying in the overhead luggage compartment directly above her seat as belonging to her. S/A Perry asked for and received permission from MOCKABEE to search her satchel and suitcase for contraband. MOCKABEE removed the

contents of her satchel and showed them to S/A Perry. S/A Perry asked MOCKABEE for permission to move her suitcase from the overhead luggage compartment to an empty seat. MOCKABEE's demeanor immediately changed. MOCKABEE was laughing and spoke very quietly earlier in the conversation with S/A Perry. MOCKABEE became agitated and accused S/A Perry of being a racist and singling her out. S/A Perry believed this was a ploy by MOCKABEE that S/A Perry had observed in the past by passengers transporting illegal narcotics to cause a disturbance and have S/A Perry walk away. MOCKABEE said that she was gathering her items and exiting the train, therefore not continuing her trip on the Amtrak Train. MOCKABEE picked up her suitcase and satchel and walked off of the Amtrak Train. S/A Perry believed this to be odd that MOCKABEE had paid for travel on the Amtrak Train and was now exiting the Amtrak Train. MOCKABEE said that she was going to now travel by airplane. S/A Perry asked MOCKABEE if she would allow a narcotics canine to sniff her suitcase for the odor of illegal narcotics and MOCKABEE agreed.

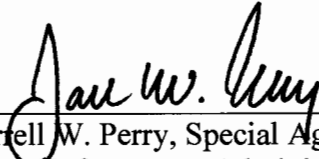
MOCKABEE walked past the Amtrak Train Station onto First Street towards downtown Albuquerque. S/A Perry contacted New Mexico State Police K-9 Sergeant Arcenio Chavez concerning a narcotics canine. S/A Perry was informed by Sergeant Chavez that a narcotics canine was enroute to S/A Perry's location. MOCKABEE asked an unknown male, who was sitting in a vehicle for a ride to the airport. MOCKABEE entered the passengers' door of the unknown male's vehicle with her luggage. S/A Perry informed MOCKABEE that her suitcase was being detained to allow a narcotics canine to conduct a sniff. S/A Perry detained MOCKABEE's suitcase and MOCKABEE exited the vehicle. Approximately 2-3 minutes later, New Mexico State Police Officer Nathan Lucero arrived with his trained and certified narcotics canine, "Kimba".

K-9 Officer Lucero deployed "Kimba" on MOCKABEE's black/pink/white leopard print suitcase. Officer Lucero informed S/A Perry that "Kimba" alerted to MOCKABEE's black/pink/white colored leopard print suitcase for the odor of illegal narcotics. "Kimba" was last certified in December, 2015 by the California Narcotics Canine Association to detect of controlled substances including methamphetamine, cocaine, heroin, marijuana, and their derivatives.

Based on the above listed facts listed throughout this affidavit, it is my belief that MOCKABEE has concealed within the main luggage compartment of the SUBJECT PROPERTY controlled substances.

Wherefore, your Affiant respectfully requests that a search warrant be issued authorizing the search for the items outlined above.

This search warrant and supporting affidavit were approved by Assistant United States Attorney Kimberly Brawley.


Jarrell W. Perry, Special Agent
Drug Enforcement Administration

Sworn to before me, and subscribed in my presence,

April 20, 2016, at Albuquerque, New Mexico


William P. Lynch, United States Magistrate Judge

